



Request for City Council Committee Action From the Departments of Public Works

Date: February 14, 2012

To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

Referral To: Honorable Betsy Hodges, Chair Ways and Means/Budget Committee

Subject: **33rd Ave SE (Como Ave SE to E Hennepin Ave) Reconstruction Project No 2225 (PV021): Public Hearing**

Recommendation:

- A. Passage of a Resolution ordering the City Engineer to proceed and do the work and adopting the special assessments in the total amount of \$616,858.96 for the 33rd Ave SE (Como Ave SE to E Hennepin Ave) Reconstruction Project.
- B. Passage of a Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$616,860, with the bonds to be paid for from special assessments.
- C. Passage of a Resolution ordering the City Engineer to abandon and remove the areaways located in the public right-of-way that are in conflict with the 33rd Ave SE Reconstruction Project.
- D. These Resolutions may be authorized for summary publication.

Previous Directives:

- January 14, 2011: Approval of the 33rd Ave SE and Talmage Ave SE Reconstruction Project layout
- April 15, 2011: Resolution 2011R-180 Project Designation for Talmage Ave SE
- August 5, 2011: Authorize Public Works to negotiate to acquire easements and additional right of way if needed
- August 5, 2011: Resolution 2011R-406, Transportation & Public Works Committee directed the City Engineer to proceed with a Variance Request for 33rd Ave SE to be reconstructed with less than minimum vertical curve lengths.
- October 21, 2011: Resolution 2011R-543, Resolution holding State of Minnesota harmless from the reconstruction of 33rd Ave SE to be reconstructed with less than minimum vertical curve lengths.
- December 9, 2011: Resolution 2011R-647 Project Designation for 33rd Ave SE

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Approved by:

Steven A. Kotke, P.E., City Engineer, Director of Public Works

Presenters: Beverly Jo Warmka, P.E., Project Engineer
Suzette Hjermstad, R.E. Investigator II

Reviews:

Permanent Review Committee (PRC):	Not Applicable
Civil Rights Affirmative Action Plan:	Not Applicable
Policy review Group (PRG):	Not Applicable

Financial Impact

Special assessments against benefited properties.

Community Impact

Neighborhood Notification: Public Hearing notices mailed on January 30, 2012
Neighborhood Meetings: Pre-public hearing meeting scheduled for February 6, 2012
City Goals: Maintain the physical infrastructure to ensure a healthy, vital and safe City
Comprehensive Plan: Not Applicable
Zoning Code: Not Applicable

Background/Supporting Information

On December 9, 2011, the City Council designated the location, streets and improvements proposed to be made in the 33rd Ave SE area. The 33rd Ave SE street reconstruction project is from Como Ave SE to E Hennepin Ave (approximately 0.25 miles in length). 33rd Ave SE is a Municipal State Aid Roadway (MSA 444). It serves an industrial/commercial area and carries low volume truck traffic. The existing Average Daily Traffic (ADT) is 654 and a future (2032) ADT is estimated at 981. 33rd Ave SE is in the City's 2012 Capital Improvement Program (CIP).

The purpose of the project is to improve the condition of the deteriorating roadway surface. This segment of 33rd Ave SE is constructed of oil-dirt and has never been constructed to current City standards.

The cost estimate for the 33rd Ave SE Reconstruction Project is \$2,054,000. The project would be funded through Minnesota Municipal State Aid Funds, net debt bonds, and assessments to the benefiting property owners.

The street reconstruction would consist of a concrete road surface, curb, gutter, signage, storm drains, concrete drives, and sidewalk, all on a stabilized base. The proposed roadway is 44 feet and has one moving lane in each direction and parking on both sides. The project will be constructed by City crews, with a contractor doing removals, and is scheduled to begin in the late summer of 2012.

Assessments

The proposed street reconstruction special assessments were determined by applying the 2012 Uniform Assessment Rates to the land area of benefited parcels located within the street influence zone along the improved street. The 2012 reconstruction rates are as follows:

\$2.21 / sq ft – Non-Residential
\$0.77 / sq ft – Residential

The proposed total assessment amount for the 33rd Ave SE Reconstruction Project is \$616,858.96. Individual assessments of more than \$150 would be collected over 20 years beginning on the 2013 real estate tax statements with the interest charged at the same rate as the City pays in interest for selling assessment bonds. Assessments of \$150 or less would be collected in their entirety on the 2013 real estate tax statements with interest charged at the same rate as the City pays in interest for selling assessment bonds. Information has been provided in the Notices as to how persons may prepay the special assessments in full without interest if they so choose.

Abandonment and Removal of Conflicting Areaways

Section 95.90 of the Minneapolis Code of Ordinances provides a procedure for dealing with

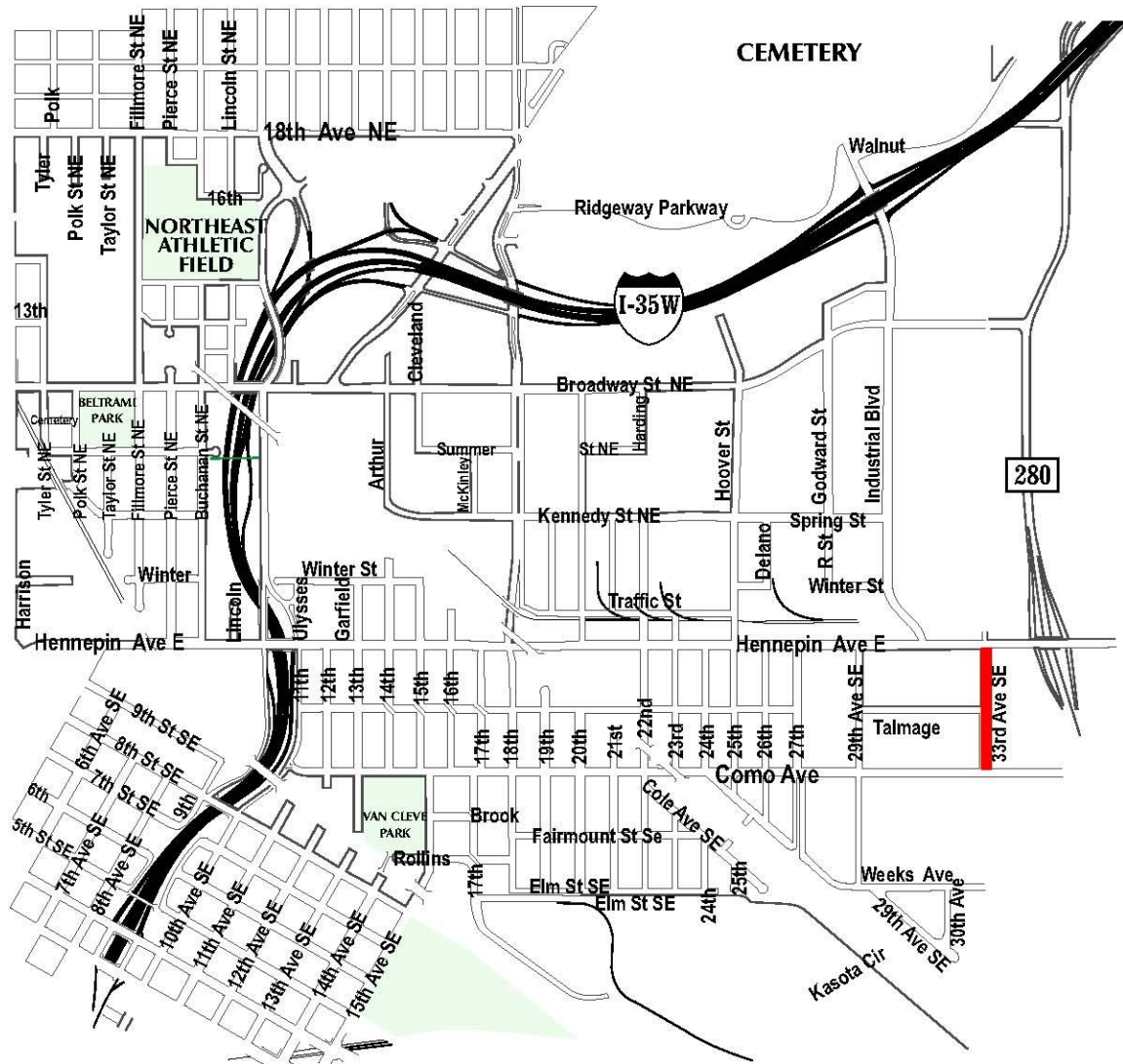
areaway encroachments that would interfere with public improvements being made in the public right-of-way such as street reconstruction. Before the City may abandon and remove conflicting areaways (upon the failure of the abutting property owner to resolve or agree to resolve the conflict) and then later assess the costs, a public hearing must be held. Prior to the areaway public hearing notices being given, the City Engineer has provided the initial notice required in Section 95.90 of the Minneapolis Code of Ordinances.

Attachment: Project Location Map

Cc: Council Member Kevin Reich, Ward 1
Jack Qvale, Secretary, Board of Estimation and Taxation
Craig Troutman, Finance

Attachment 1
Project Location Map

33rd Ave SE



T&PW - Your Committee recommends passage and summary publication of the accompanying Resolutions:

1. Ordering the work to proceed and adopting the special assessments; and
2. Ordering the City Engineer to abandon and remove the areaways located in the public right-of-way that are in conflict with the paving project,

for the 33rd Ave SE (Como Ave SE to E Hennepin Ave) Reconstruction Project, Special Improvement of Existing Street No. 2225.

By Colvin Roy

**33RD AVE SE (COMO AVE SE TO E HENNEPIN AVE) RECONSTRUCTION
PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET No 2225**

**Ordering the work to proceed and adopting the special assessments for the
33rd Ave SE (Como Ave SE to E Hennepin Ave) Project.**

Whereas, a public hearing was held on February 14, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinance to consider the proposed improvements as designated in Resolution 2011R-647, passed December 9, 2011, to consider the proposed special assessments on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2011R-647, passed December 9, 2011.

Be It Further Resolved that the proposed special assessments in the total amount of \$616,858.96 as on file in the office of the City Clerk be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2013 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2013 real estate tax statements.

Colvin Roy

Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction in the 33rd Ave SE area.

Whereas, the City of Minneapolis has scheduled the street reconstruction improvements starting in 2012 in the 33rd Ave SE (Como Ave SE to E Hennepin Ave) area of Minneapolis; and

Whereas, there are areaways located in the public street r/w that are in conflict with said reconstruction; and

Whereas, a public hearing was held on February 14, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis Code of ordinance to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street r/w adjoining the properties along 33rd Ave SE (both sides) from Como Ave SE to E Hennepin Ave.

T&PW and W&M/Budget – Your Committee recommends passage and summary publication of the accompanying Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the 33rd Ave SE (Como Ave SE to E Hennepin Ave) Reconstruction Project, Special Improvement of Existing Street No 2225.

Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$616,860 for certain purposes other than the purchase of public utilities.

Resolved by the City Council of the City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the 33rd Ave SE (Como Ave SE to E Hennepin Ave) Reconstruction Project, Special Improvement of Existing Street No 2225, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.